### REMARKS/ARGUMENTS

# Present Invention and Pending Claims

The present invention relates to 2-amino-6-benzyloxypurine methanolate, crystals thereof, and method of preparation thereof. Claims 4 and 6-9 are pending.

### Amendments to the Claims

Claims 6-9 have been amended to limit the compound to the methanolate form of 2-amino-6-benzyloxypurine. These amendments are supported by the specification at, for example, page 5, lines 3-8 and 13-19, and Examples 1-4. Claims 8 and 9 also have been amended to clarify the recited method step, as supported by the specification at, for example, page 4, line 24, through page 5, line 19. Claims 1-3, 5, and 10-12 have been canceled. No new matter has been added by way of these amendments.

## Summary of the Office Action

The Office Action indicates that claim 4 is allowable. Claims 1-3 and 5-12 are rejected under 35 U.S.C. § 102(b) as being anticipated by WO 00/08025 (Leanna et al.) ("Leanna 1"), U.S. Patents 6,184,376 (Leanna et al.) ("Leanna 2"), 5,352,669 (Moschel et al.), and 4,801,710 (MacCoss et al.) ("MacCoss 1"), Spassova et al. (*Collection of Czechoslovak Chemical Communications*, 59(5): 1153-1174 (1994)), MacCoss et al. (*Tetrahedron Letters*, 26(15): 1815-1818 (1985)) ("MacCoss 2"), and Bzowska et al. (*Z. Naturforsch*, 54c: 1055-1067 (1999)). Claims 1-3 and 5-12 also stand rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent 6,414,112 (Buchardt et al.). Reconsideration of the pending claims is hereby requested.

## Discussion of the Anticipation Rejections

Claims 1-3 and 5-12 allegedly are anticipated by Leanna 1, Leanna 2, Moschel et al., MacCoss 1, MacCoss 2, Spassova et al., Bzowska et al., and Buchardt et al. Claims 1-3, 5, and 10-12 have been canceled. Claims 6-9 have been amended to recite the subject matter of claim 4, which the Examiner has indicated is allowable. Accordingly, the anticipation rejections should be withdrawn.

### Conclusion

Date: July 3, 2007

Applicants respectfully submit that the patent application is in condition for allowance. If, in the opinion of the Examiner, a telephone conference would expedite the prosecution of the subject application, the Examiner is invited to call the undersigned attorney.

Respectfully submitted,

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